

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – High Court of Andhra Pradesh – C.A.No.1772/2010 in W.P.No.14860/2009 filed by Sri Shaik Abdul Kalam Azad, Proh. & Excise Inspector (Retired)(Enforcement), Ongole, Prakasam District – Interest on belated payments of pay arrears and pensionary benefits – Administrative sanction for payment of interest on Gratuity for an amount of Rs.7591/- - Orders – Issued.

REVENUE (EXCISE.I) DEPARTMENT

G.O.Rt.No.1426

Dated:01.12.2011.
Read the following:

1. Order of the Hon'ble High Court of A.P. in W.P.No.14860/2009, dt.25.03.2010.
2. Letter No.CC.No.1772/2010/S.II/HC, dt.17.08.2011 of Govt. Pleader for Services-II, High Court of A.P., Hyderabad.
3. From the Commissioner of Proh. & Excise Lr.No.12034/2010/CPE/H4, dt.7.09.2011.

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ORDER:

The Commissioner of Prohibition and Excise, A.P., Hyderabad in his letter third read above, has stated that the delay caused in settling the retirement benefits of Sri Shaik Abdul Kalam Azad, Proh. & Excise Inspector (Retired)(Enforcement), Ongole, Prakasam District are due to "Non regularization of suspension period and not exercising the option to come under RPS 1999". The individual is not entitled to any interest either on pay arrears or on the pensionary benefits. Further, he has informed that even though there is no administrative lapse in settling his pensionary benefits and payment of arrears to the retired employee, the interest is to be paid on the gratuity due to him from the Government basing on the dates on which there was a change in pay by sanctioning the increments on regularization of suspension period, fixing of pay in RPS 1999, 2005 and appointment to the SGP/SPP-1 posts in order to implement the High Court orders and having analyzed the reasons, the delay can be divided into four spells basing on the sanction dates for raising the pay in terms of Article 52 of APFC volume-I. The Commissioner of Proh. & Excise has informed that Sri Shaik Abdul Kalam Azad, Proh. & Excise Inspector (Retired), Ongole is entitled only to interest @ 5% on gratuity due to him which comes to Rs.7591/-.

2. Accordingly, the Commissioner of Prohibition and Excise has requested to accord administrative sanction to an amount of Rs.7591/- towards payment of interest on Gratuity under the Head of Account M.H.2049, in compliance of orders of Hon'ble High Court, Hyderabad to Sri Shaik Abdul Kalam Azad, Proh. & Excise Inspector (Retired)(Enforcement), Ongole, Prakasam District.

3. Government, after careful examination of the proposal of Commissioner of Prohibition and Excise and in compliance of orders of Hon'ble High Court, Andhra Pradesh, hereby accord administrative sanction for an amount of Rs.7591/- (Rupees seven thousand five hundred and ninety one only) towards payment of interest on Gratuity to Sri Shaik Abdul Kalam Azad, Proh. & Excise Inspector (Retired)(Enforcement), Ongole, Prakasam District, in terms of Cir.Memo.No.16077/135/A2/Pen.I/2004, Finance (Pen.I) Department, Dated: 20.02.2006 under the Head of Account M.H.2049.

P.T.O.

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4. This order issues with the concurrence of Finance (Pen.II) Department vide their U.O.No.26868/295/A1/Pen.II/2011, dt.19.11.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Proh. & Excise, A.P., Hyderabad.

The Deputy Commissioner of Proh. & Excise, Ongole and Guntur

The Asst. Commissioner of Proh. & Excise (Enft.), Ongole.

Copy to:

The District Treasury Officer, Ongole and Guntur.

The Govt. Pleader for Ser.II, APHC, Hyderabad.

SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER